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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
) C.R. No. S-02-0427 DFL
Plaintiff,)
)
v.) ORDER REGARDING LIMITED
) REMAND PROCEDURES PURSUANT TO
) UNITED STATES V. AMELINE
)
DANNY WILLIAM VEAL)
)
Defendant.)
)

The parties appeared before the Court on January 26, 2006, on remand by the Ninth Circuit (C.A. No. 04-10271), to determine the impact of United States v. Ameline, 409 F.3d 1073 (9th Cir. 2005), if any, on the sentence previously imposed in this case. After a colloquy with the parties as is detailed in the attached transcript of the proceedings (See Attachment 1), this Court found that it would not have imposed a materially different sentence if it had applied the guidelines as advisory rather than mandatory. Accordingly, and for the reasons as stated in the attached transcript of the proceedings, the Judgment and Sentence

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1 imposed upon the defendant on April 22, 2004, STANDS AS
2 PREVIOUSLY ORDERED.

3
4 April 21, 2006

SO ORDERED

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6
7 /s/ David F. Levi
8 The Honorable David F. Levi
9 Federal District Court Judge
10 Eastern District of California
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